



Customer Number: 000049459  
Nalco Docket No.: 7726-NES

In the United States Patent and Trademark Office

Applicant:	Duane S. Treybig, et al.	)	Examiner:
		)	
Serial No.:	10/661,669	)	Group Art Unit:
		)	
Date Filed:	September 12, 2003	)	Paper No.

For: METHOD AND COMPOSITION FOR RECOVERING HYDROCARBON FLUIDS FROM  
A SUBTERRANEAN RESERVOIR

Commissioner for Patents  
Box OIPE  
P. O. Box 1450  
Alexandria, VA 22313-1450

<b>CERTIFICATE OF MAILING</b>	
<b>37 C.F.R. 1.8</b>	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail with sufficient postage in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
<u>3/30/06</u>	<u>Robert T. Faedtke</u>
Date	Robert T. Faedtke

PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT  
UNDER 37 C.F.R. § 1.181(a)

Dear Sir:

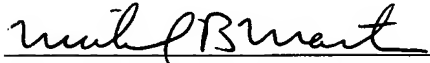
Applicant hereby petitions from the Notice of Abandonment of this application mailed on 02/28/2006. The application was abandoned for failure to timely reply to the Notice of Missing Parts mailed on 12/08/2003. Applicant respectfully requests the abandonment of this application be withdrawn.

In support of this Petition, Applicant submits herewith copies of:

- 1) The Notice of Missing Parts mailed on 12/08/2003.
- 2) Applicant's signed DECLARATION FOR PATENT APPLICATION.
- 3) Applicant's signed ASSIGNMENT DOCUMENT and cover sheet.
- 4) Applicant's cover sheet mailed with items 1-3 above bearing a Certificate of Mailing dated December 15, 2003.
- 5) A properly itemized date-stamped postcard receipt showing the Office's receipt of the above on December 18, 2003.
- 6) A copy of the Notice of Abandonment mailed 02/28/2006

In view of the foregoing evidence, Applicant respectfully asserts that the missing parts were timely submitted to the Office and accordingly Applicant respectfully requests withdrawal of the abandonment of this application and return of the application to active status.

Respectfully submitted,



Michael B. Martin, Reg. No. 37,521  
Nalco Company  
Patent and Licensing Department  
1601 West Diehl Road  
Naperville, Illinois 60563-1198  
(630) 305-1574  
Date: 3/30/06



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/661,669	09/12/2003	Duane Treybig	7726-ONES

**CONFIRMATION NO. 9132**  
**ABANDONMENT/TERMINATION**  
**LETTER**

49459  
 NALCO COMPANY  
 1601 W. DIEHL ROAD  
 NAPERVILLE, IL 60563-1198

Date Mailed: 02/28/2006

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 12/08/2003.

- No reply was received.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item (s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP §§ 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (571) 272-3282.

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*A copy of this notice MUST be returned with the reply.*

*Guward*

Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382  
PART 2 - COPY TO BE RETURNED WITH RESPONSE

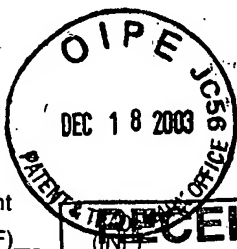


OIPE

*The U.S. Patent & Trademark Office official mailroom stamp affixed hereto, acknowledges receipt of:*

Enclosures:

- ☐ Patent Application  
☐ Specification \_\_\_\_\_ pages  
☐ Claims \_\_\_\_\_  
☒ Oath or Declaration  
☒ Assignment  
☐ Information Disclosure Statement  
☐ Drawing(s) \_\_\_\_\_ sheets (F)  
☐ Other \_\_\_\_\_



- ☐ Amendment  
☐ Certificate of Correction  
☐ Communication to Examiner  
☐ Extension of Time  
☐ Issue Fee Transmittal  
☐ Missing Parts Application

Serial No. 10/661,669

Case No. 7726-ONES

Applicant: NALCO ENERGY SERVICES OSCEOLA PATENT DEPT.

Filed on: SEPTEMBER 12, 2003

For: METHOD AND COMPOSITION FOR RECOVERING HYDROCARBON FLUIDS FROM A SUBTERRANEAN RESERVOIR.

Deposit Account Number: 14-0105 Date Due: \_\_\_\_\_ Date Sent: 12/15/03

ADV-676 (10-02)



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/661,669	09/12/2003	Duane Treybig	7726-ONES

CONFIRMATION NO. 9132

## FORMALITIES LETTER



\*OC000000011437267\*

Michael B. Martin  
 Patent & Licensing Department  
 Odeco Nalco Company  
 Odeco Nalco Center  
 Naperville, IL 60563-1198

Date Mailed: 12/08/2003

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

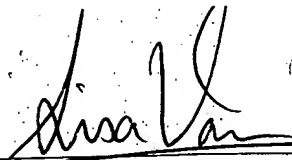
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Duane Treybig  
Kin-Tai Chang

) Art Unit:  
) Examiner:  
) Docket No.:

Serial No: 10/661,669

Date Filed: September 12, 2003

Invention: METHOD AND COMPOSITION FOR RECOVERING HYDROCARBON FLUIDS  
FROM A SUBTERRANEAN RESERVOIR.

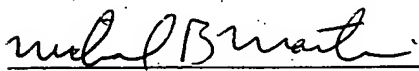
Mail Stop MISSING PARTS  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Attention: Application Processing Division

Dear Sir:

In response to the Notice to File Missing Parts of Non-Provisional Application dated December 8, 2003, the Applicants enclose herewith an executed Declaration and Assignment with cover sheet. Please deduct the \$130.00 fee from Deposit Account No: 14-0105. A duplicate copy is enclosed.

Respectfully submitted,



Attorney, Reg. No.

Date 12/15/03

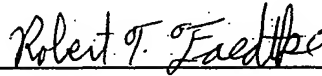
Ondeo Nalco Company  
Patent & Licensing Department  
Ondeo Nalco Center  
Naperville, Illinois 60563-1198

CERTIFICATE OF MAILING

37 C.F.R. 1.8

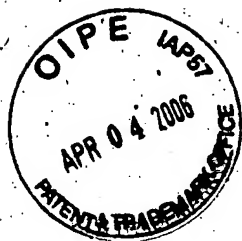
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop MISSING PARTS, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date below:

12/15/03



Date

Robert T. Faedtke



## DECLARATION FOR PATENT APPLICATION

As a below named inventor, I, Duane Treybig, Kin-Tai Chang; hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name, I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which the patent is sought on the invention entitled:

### *METHOD AND COMPOSITION FOR RECOVERING HYDROCARBON FLUIDS FROM A SUBTERRANEAN RESERVOIR*

the specification of which

(check one) ☒ (X) is attached hereto  
( ) (.) was filed on \_\_\_\_\_ as

Application Serial N° \_\_\_\_\_  
and was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

#### Prior Foreign Applications

#### Priority Claimed

_____ (Number)	_____ (Country)	_____ (Day/Mo./Yr. filed)	( ) Yes ( ) No
_____ (Number)	_____ (Country)	_____ (Day/Mo./Yr. filed)	( ) Yes ( ) No
_____ (Number)	_____ (Country)	_____ (Day/Mo./Yr. filed)	( ) Yes ( ) No

I hereby claim the benefit under Title 35, United States Code, §120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Application Serial N°)	_____ (Filing Date)	_____ (Status - Patented, pending, abandoned)
_____ (Application Serial N°)	_____ (Filing Date)	_____ (Status - Patented, pending, abandoned)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent & Trademarks Office connected therewith.

Thomas M. Breininger, Reg. No. 29,897  
Margaret Meta Brumm, Reg. No. 33,655  
Michael B. Martin, Reg. No. 37,521

SEND CORRESPONDENCE TO:

Direct telephone calls to:

Michael B. Martin  
Patent & Licensing Department  
Ondeo Nalco Company  
Ondeo Nalco Center  
Naperville, Illinois 60563-1198

Michael B. Martin  
Patent Department  
630-305-1574

I further declare that all statements, data, and figures made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

I also believe that disclosures, statements, data, and figures included in the above mentioned specification and claims are, to my best knowledge, accurate and truthful.

Full name of sole or first inventor Duane Treybig  
Inventor's Signature *Duane Treybig*  
Date 9/19/2003 Country of Citizenship U.S.A.  
Residence Sugar Land, Texas  
Post Office Address 1715 Heddon Falls Drive, Sugar Land, Texas 77479-5600

Full name of sole or first inventor Kin-Tai Chang  
Inventor's Signature *Kin-Tai Chang*  
Date 9/19/2003 Country of Citizenship U.S.A.  
Residence Sugar Land, Texas  
Post Office Address 1126 Misty Lake Drive, Sugar Land, Texas 77478

FORM PTO-1595  
(Rev. 5-93)  
OMB No. 0651-0011  
(exp. 4/94)

REC'DATION FORM COVER SHEET  
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Case: 7726-ONES

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Duane Treybig  
Kin-Tai Chang

Additional names(s) of conveying party (ies) attached? Yes ☐ No ☒

2. Name and address of receiving party (ies)

Name: Ondeo Nalco Energy Services

Internal Address: \_\_\_\_\_

3. Nature of conveyance:

☒ Assignment

Merger

Security Agreement

Change of Name

Other \_\_\_\_\_

Execution Date: September 19, 2003

Street Address: 7701 Highway 90-A

City: Sugarland State: Texas ZIP: 77478

Additional names(s) & address(es) attached? Yes ☐ No ☒

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s): 10/661,669

B. Patent No.(s)

Additional numbers attached: Yes ☐ No ☒

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Michael B. Martin  
Patent and Licensing Dept.  
Internal Address: Nalco Company

Street Address: 1601 W. Diehl Road

City: Naperville State: Illinois ZIP: 60563-1198

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) ..... \$40.00

Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number: 14-0105

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Michael B. Martin, Reg. No. 37,521

Name of Person Signing

Michael B. Martin

Signature

12/15/03

Date

Total number of pages including cover sheet, attachments, and document:

Mail documents to be recorded with required cover sheet information to:  
Commissioner for Patents, P.O. Box 1450  
Alexandria, VA 22313-1450

## ASSIGNMENT

*The ASSIGNOR(S), Duane Treybig, Kin-Tai Chang*

*have invented certain new and useful improvements in METHOD AND COMPOSITION FOR RECOVERING HYDROCARBON FLUIDS FROM A SUBTERRANEAN RESERVOIR*

*an invention which is fully described in a United States Patent Application executed of even date herewith; and*

*The ASSIGNEE, Ondeo Nalco Energy Services, L.P., a Delaware limited partnership, having its principal office at 7701 Highway 90-A Sugar Land, Texas, wishes to acquire the entire right, title and interest in and to the invention and under any Letters Patent which may be obtained for this invention.*

*For valuable and legally sufficient consideration, receipt of which is hereby acknowledged, the Assignor(s) hereby, assigns, transfers and sets over to Assignee, its successors and assigns, the entire right, title and interest in and to the above-identified invention and patent application and all rights and privileges under any Letters Patent of the United States which may issue thereon.*

*The Assignor(s) also assigns, transfers and sets over to Assignee the entire right, title and interest in and to the invention and any patent application and Letters Patent that may be granted thereon in all countries foreign to the United States, including all rights under the International Convention. The Assignor(s) further authorizes Assignee to apply for Letters Patent in foreign countries in the name of Assignee, and to claim the priority of the filing date of the United States Patent Application under the provisions of the International Convention.*

*The Assignor(s) further agrees to assist Assignee in the prosecution of the patent application before the United States Patent Office and the Federal Courts, and any other applications for Letters Patent including renewals, continuations, divisions, reissues and substitutions, that the Assignee elects to make covering the invention. The Assignor(s) vests in Assignee like exclusive title in and to all such other applications and Letters Patent. The Assignor(s) will execute and deliver to Assignee any documents which may be requested by Assignee to carry out the terms of this Assignment.*

*The Commissioner of Patents of the United States is authorized and requested to issue any and all Letters Patent of the United States to Assignee. The Assignor(s) also authorizes and requests the equivalent authorities in foreign countries to issue the patents of foreign countries to Assignee.*

Duane Treybig  
Duane Treybig

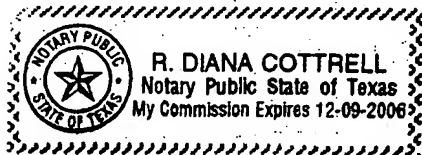
1715 Heddon Falls Drive

Sugar Land, Texas 77479-5600

STATE OF TEXAS )  
COUNTY OF Ft. Bend )ss

Subscribed and sworn to before me  
this 19 day of Sept 2003.

R. Diana Cottrell  
Notary Public



Kin-Tai Chang  
Kin-Tai Chang

1126 Misty Lake Drive

Sugar Land, Texas 77478

STATE OF TEXAS )  
COUNTY OF Ft. Bend )ss

Subscribed and sworn to before me  
this 19 day of Sept 2003.

R. Diana Cottrell  
Notary Public

